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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/838,174	04/20/2001	Yoshinori Matsui	2001-0471A	1560
513	7590	12/06/2005	EXAMINER	
WENDEROTH, LIND & PONACK, L.L.P. 2033 K STREET N. W. SUITE 800 WASHINGTON, DC 20006-1021			CHEVALIER, ROBERT	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 12/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/838,174	MATSUI ET AL.
	Examiner	Art Unit
	Bob Chevalier	2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 12 October 2005.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-6 and 8 is/are rejected.
- 7) Claim(s) 7 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 20 April 2001 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

***Response to Arguments***

1. Applicant's arguments with respect to claims 1-6, and 8, have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1, 3-5, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art (Figures 11a-13) described at pages 1-5, of the present Application in view of Yamamoto et al.

The admitted prior art, Figures 11a-13, of the present Application discloses a recording/playback techniques that shows substantially the same limitations recited in claim 1, including the feature of the memory having at least one program data folder

each containing a program composed of compressively coded data including at least one video data file (See the admitted prior art Figure 11a, component 1103, of the present Application), the feature of the management data folder containing management data which include information each indicating attribute information, playback duration, and title information concerning each program (See the admitted prior art described at page 2, lines 15-18, of the present Application).

Although the admitted prior art, Figures 11a-13 would disclose the capability of playing back the recorded and selected compressed video data, however, the admitted prior art of the present Application fails to specifically disclose the feature of reading compressively coded data which are stored in the selected program data folder, decoding the same, and outputting the decoded data on the display as specified in the present claim 1.

Yamamoto et al discloses clearly disclose a video recording/reproducing apparatus which includes the capability of reading compressively coded data which are stored in the selected program data folder, decoding the same, and outputting the decoded data on the display as specified in the present claim 1. (See Yamamoto et al's Figure 6, components 42, and 44).

It would have been obvious to one skilled in the art to modify the admitted prior art, Figures 11a-13, described at pages 1-5 of the present Application wherein the reproducing means provided thereof would incorporate the capability of reading compressively coded data which are stored in the selected program data folder, decoding the same, and outputting the decoded data on the display in the same

conventional manner as shown by Yamamoto et al. The motivation is to be able reproduce and display quality video data at any desired time as suggested by Yamamoto et al.

With regard to claim 3, the feature of the management data including information indicating the number of the program data folders and information concerning each program data folder as specified thereof is present in the proposed combination indicated above. (See the admitted prior art described at page 2, lines 5-18, of the present Application).

With regard to claim 4, the feature of the new management data in which the information indicating the number of the program data folders has been updated and the information concerning program data folder to be erased has been eliminated and replaces the management data stored in the management data folder with the generated management data as specified thereof is present in the proposed combination indicated above. (See the admitted prior art described at page 4, lines 1-9, of the present Application).

With regard to claim 5, the feature of the decoding unit reading the compressively coded data on the basis of the playback control data and decodes the coded data as specified thereof is present in the proposed combination indicated above. (See Yamamoto et al's Figure 6, component 42).

With regard to claim 8, the feature of the removable memory recited thereof is present in the proposed combination indicated above. (See the DVD shown in Figure

11a, of the present Application, and further see, Yamamoto et al's Figure 6, component 50).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art, Figures 11a-13, described at pages 1-5, of the present Application and Yamamoto et al, as applied to claim 1 above, and further in view of Morley.

The proposed combination of the admitted prior art, Figures 11a-13, described at pages 1-5, of the present Application and Yamamoto et al, indicated above discloses a video recording/reproducing apparatus that shows substantially the same limitations

recited in claim 2, including the feature decoding compressed coded data reproduced from a recording medium. (See Yamamoto et al's Figure 6, component 42).

The proposed combination indicated above fails to specifically disclose the feature of the decryption unit reading the requested compressively coded data from the memory and carries out decryption and outputs decrypted data as specified in the present claim 2.

Morley et al discloses a reproducing apparatus which includes the feature of the decryption/decoding means for decrypting encrypted compressively coded data at reproduction operation as specified in the present claim 2. (See Morley et al's Figure 2, component 144, and the corresponding disclosure).

It would have been obvious to one skilled in the art to modify the proposed combination's recording/reproducing apparatus indicated above wherein the decoding means provided thereof would incorporate the capability of a decryption/decoding means for the purpose of decrypting provided encrypted compressively coded data at reproduction operation in the same conventional manner as is shown by Morley et al. The motivation is to increase the quality of the reproduced signal at reproduction operation, thereby increase the efficiency of the apparatus as suggested by Morley et al.

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art, Figures 11a-13, described at pages 1-5, of the present Application and Yamamoto et al, as applied to claim 1 above, and further in view of Ishii et al.

The proposed combination of the admitted prior art, Figures 11a-13, described at pages 1-5, of the present Application and Yamamoto indicated above discloses a recording/reproducing apparatus that shows substantially the same limitations recited in claim 6, including the feature of erasing the recorded program from the recording medium as specified in the present claim 6. (See the admitted prior art described at page 4, lines 1-9, of the present Application).

The proposed combination fails to specifically disclose the feature of the management data including data protection information concerning permission or inhibition of erasure of each program data folder in the program data folder as specified in the present claim 6.

Ishii et al discloses a device for controlling recording/reproduction apparatus utilizing recorded management data which includes data protection information concerning permission or inhibition of erasure of each program data folder in the program data folder as specified in the present claim 6. (See Ishii et al's column 4, lines 18-35).

It would have been obvious to one skilled in the art to modify the proposed combination's recording/reproducing apparatus indicated above wherein the management data provided thereof would incorporate the capability of data protection information concerning permission or inhibition of erasure of each program data folder in the program data folder in the same conventional manner as shown by Ishii et al. The motivation is to prevent unwanted erasure of the recorded program as suggested by Ishii et al.

Art Unit: 2616

9. Claim 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bob Chevalier whose telephone number is 571-272-7374. The examiner can normally be reached on MM-F (9:00-6:30), second Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on 571-272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

B. Chevalier  
November 29, 2005.



ROBERT CHEVALIER  
PRIMARY EXAMINER